

**Australian Health Ministers' Advisory Council  
National Registration and Accreditation Implementation Project  
Exposure Draft – Health Practitioner Regulation National Law 2009**

Kelly Madden  
To NRAIP 17/7/09 08:59PM

Re Independent (Homebirth) Midwifery

I wish to draw attention to section 101 (ii) in which a registered health practitioner must not practise the health profession unless professional indemnity insurance arrangements are in force. Also to section 148 in which a person must not direct or incite a registered health practitioner that amounts to unprofessional conduct or professional misconduct, incurring penalties.

Registered homebirth midwives are not covered by indemnity insurance due to the small numbers practicing and therefore it is not viable to indemnify them. The introduction of this legislation means that homebirth midwives will no longer be legally allowed to practice midwifery without insurance.

Therefore a registered homebirth midwife will not be able to attend a women's birth in her home, as they have in the past. This not only affects me but every women in Australia who chooses to birth at home with a registered midwife. This will also affect families who wish to choose the continuity of care and support that a midwife provides and therefore affects unborn children.

I feel that to deny women the right to birth at home would be a very backward step for this country and a great shame for our future children and society in general.

This legislation will vastly limit a women's choice to birth where and with whom she chooses. This will force women into hospital systems that over-medicalise birth or to birth at home without the support of a qualified professional midwife of their choice.

I am opposed to the introduction of this legislation and I suggest that an amendment be made to include an exemption for Independent Midwives to require indemnity insurance.

Yours Sincerely

**Kelly Madden**